

Notice of Allowability

Application No.

10/001,585

Examiner

Gary C. Vieaux

Applicant(s)

SEAMAN ET AL.

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/10/2006.
2. ☒ The allowed claim(s) is/are 12-24, 38-53 (now formally renumbered as claims 1-29, respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>6/12/2006</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT AND REASONS FOR ALLOWANCE

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes
5 and/or additions be unacceptable to applicant, an amendment may be filed as provided
by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be
submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview
with Philip S. Lyren on June 12, 2006 at 12:15 p.m. EST.

10

Claim 23 of the application has been amended as follows:

23. (Currently Amended) A computer readable medium having a computer program for
associating an event bookmark with a captured image, the program comprising logic
configured to perform the steps of receiving an event bookmark, receiving a captured
15 image of interest from an image capture device, associating the captured image of
interest with the received event bookmark, the received event bookmark including (1) a
phrase that describes the captured image and (2) a time stamp corresponding to a time
an operator broadcasts the event bookmark to the image capture device, and storing
the captured image of interest and the associated event bookmark in a memory.

20

EXAMINER'S REASONS FOR ALLOWANCE

Change of Examiner

The prosecution of this application has been transferred to Examiner Gary

- 5 C. Vieaux from the docket of Examiner Brian Jelinek. Any inquiry concerning this Office Action or earlier communications should be directed to the current Examiner of record. Current contact information is provided in the last section of this communication.

Amendment

- 10 The Amendment, filed March 10, 2006, has been received and made of record. In response to the most recent Office Action, dated December 23, 2005, claims 12, 19, 23, 39, 40, 43, 44, 46, and 50-53 have been amended. Claims 1-11 and 25-37 were previously withdrawn.

15 ***Response to Amendment***

In response to Applicant's amended claim 52, the Examiner finds the amendment to directly address the previously indicated inconsistencies, and therefore, the objection to claim 52 is hereby withdrawn.

- 20 In response to Applicant's amended claims 12, 19, 23, 39, 40, 43, 44, 46, 50, 52, and 53, the Examiner finds the amendments to correct the indefiniteness of the claim language, and therefore, the 35 U.S.C. §112 rejections to claims 12, 19, 23, 39, 40, 43, 44, 46, 50, 52, and 53 are hereby withdrawn.

Response to Arguments

Applicant's arguments filed March 10, 2006, have been fully considered and are persuasive. The rejections of claims 12-24, and 38-53 have been withdrawn.

5

Allowable Subject Matter

Claims 12-24, and 38-53 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claims 12-18 and 38-41, the prior art is not found to teach or fairly suggest, in combination with the existing elements of the present claim as currently amended, a system which receives event bookmarks comprising an image capture device that captures at least one image of an event, a transceiver residing in the image capture device and configured to receive an event bookmark broadcasted by an event bookmark broadcaster, and a processing device located in the event bookmark broadcaster and configured to associate the received event bookmark with the captured image and with information corresponding to a time at which the image is captured in relation to the event, such that the captured image is ordered in a time sequence with a plurality of other images associated with the received event bookmark.

Regarding claims 19-22 and 42-45, the prior art is not found to teach or fairly suggest, in combination with the existing elements of the present claim as currently amended, a method for receiving event bookmarks, the method comprising the steps of detecting an event bookmark broadcasted from an event bookmark broadcaster,

capturing an image of interest with an image capture device, associating the captured image of interest with the detected event bookmark and with information corresponding to a time at which the image is captured in relation to the event, such that the captured image is ordered in a time sequence with a plurality of other images captured by other
5 image capture devices, the plurality of other images associated with the received event bookmark, and activating, by an operator, the event bookmark broadcaster to broadcast the event bookmark to the image capture device.

Regarding claims 23-24, the prior art is not found to teach or fairly suggest, in combination with the existing elements of the present claim as currently amended, a
10 computer readable medium having a computer program for associating an event bookmark with a captured image, the program comprising logic configured to perform the steps of receiving an event bookmark, receiving a captured image of interest from an image capture device, associating the captured image of interest with the received event bookmark, the received event bookmark including (1) a phrase that describes the
15 captured image and (2) a time stamp corresponding to a time an operator broadcasts the event bookmark to the image capture device, and storing the captured image of interest and the associated event bookmark in a memory.

Regarding claims 46-49, the prior art is not found to teach or fairly suggest, in combination with the existing elements of the present claim as currently amended, a
20 system which receives event bookmarks comprising an image capture device that captures plural images of an event, the image capture device being portable and user activated to capture the images at different locations at the event, a transceiver residing

Art Unit: 2622

in the image capture device and configured to receive an event bookmark broadcasted by an event bookmark broadcaster, the event bookmark comprising meta-data describing at least one predefined occurrence in the event and a processing device configured to associate the received bookmark event with the captured images, such that

5 the captured images are grouped with at least one other image captured at the event by at least one other image capture device, the grouping based upon the predefined occurrence in the event which is identifiable by the meta-data.

Regarding claims 50-53, the prior art is not found to teach or fairly suggest, in combination with the existing elements of the present claim as currently amended, a

10 method comprising broadcasting, upon actuation from an operator, an event bookmark to a portable image capture device, receiving the event bookmark broadcast from an event bookmark broadcaster, the event bookmark comprising meta-data that describes activities at the event, capturing an image of interest at the event with the image capture device, and associating the captured image of interest with the detected bookmark, such

15 that the captured image is grouped with at least one other image captured at the event by at least one other image capture device, the grouping based upon at least one predefined occurrence in the event which is identifiable by the meta-data.

Any comments considered necessary by applicant must be submitted no later

20 than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary C. Vieaux whose telephone number is 571-272-7318. The examiner can normally be reached on Monday - Friday, 8:00am - 4:00pm.

5 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NgocYen T. Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for
10 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a
15 USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gary C. Vieaux
Examiner
Art Unit 2622

Gcv2

20

TUAN HO
PRIMARY EXAMINER